



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17694 of 2017

SARAVANAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.
(CR.NO.508/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA, Advocate

For Respondent : MR.K.S.DURAIPANDIAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

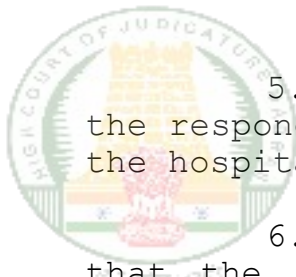
ORDER : The Court Made the following order :-

Heard both sides.

2.The petitioner is arrayed as sole accused in Crime No.508 of 2017 of Thottiyam Police Station. He apprehends arrest at the hands of the respondent police for the alleged offences under Section 294 (b), 324 and 506(ii) IPC r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act, he has filed this petition, seeking relief to grant of anticipatory bail.

3.The case of the prosecution is that due to family dispute between the petitioner and the defacto complainant. The petitioner herein attacked the defacto complainant and threatened her with dire consequences, thereby, she sustained injuries. Hence, the defacto complainant lodged a complaint before the respondent police.

4.The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, he has not committed any offence as alleged, he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.



5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the injured was discharged from the hospital.

6. Considering the submissions on either side, it discloses that the injured was discharged from the hospital. Hence, this Court come to the conclusion that in order to complete investigation, custodial interrogation is not necessary, accordingly, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

(i) The petitioner is granted anticipatory bail in the event of his arrest or on his surrender before Judicial Magistrate, Musiri on or before 18.01.2018, failing which, the petition shall stand dismissed automatically.

(ii) On such arrest or surrender, the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Musiri.

(iii) **The petitioner is directed to appear before the respondent / police daily at 10.00 a.m. for a period of two weeks.**

(iv) The petitioner shall make himself available for interrogation as and when required by the investigation officer.

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled, and the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs State of Kerala** [(2005) AIR SCW 5560].

sd/-
04/01/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO



2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY

3 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No.161

ORDER
IN
CRL OP(MD) No.17694 of 2017
Date :04/01/2018

PK/RR/SAR-4/08.01.2018 : 3P/6C